

STATE OF HAWAII DEPARTMENT OF TRANSPORTATION 869 PUNCHBOWL STREET HONOLULU, HAWAII 96813-5097

BRENNON T. MORIOKA DIRECTOR

Deputy Directors MICHAEL D. FORMBY FRANCIS PAUL KEENO BRIAN H. SEKIGUCHI

IN REPLY REFER TO:

Board of Land and Natural Resources State of Hawaii Honolulu, Hawaii

ISSUANCE OF NON-EXCLUSIVE RENT-A-CAR CONCESSIONS HILO INTERNATIONAL AIRPORT

HAWAII

The Department of Transportation (DOT) proposes to offer seven non-exclusive Rent-A-Car Concessions (Concessions) at Hilo International Airport on the Island of Hawaii. The following contains a description and summary of some of the major terms and conditions that the DOT anticipates incorporating into the Concession Agreements and companion Premises Leases:

PURPOSE:

To award Concession Agreements and Premises Leases to seven qualified Concessionaires submitting the highest bids to operate non-exclusive Concessions at Hilo International Airport.

LEGAL REFERENCE:

Chapter 102, Hawaii Revised Statutes, as amended. Chapter 171, Hawaii Revised Statutes, as amended.

LOCATION AND TAX MAP KEY:

Hilo International Airport, Island of Hawaii, Hawaii Tax Map Key: 3rd Division, 2-1-12:Portion of 9

PREMISES (as shown on attached exhibits):

- At the Commencement of the Premises Lease:
 - 1. Baseyards
 - a. Spaces:

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ITO-009-101 containing an area of approximately 24,109 square feet ITO-009-109 containing an area of approximately 22,792 square feet ITO-009-113 containing an area of approximately 12,159 square feet

- b. Space ITO-009-102 containing an area of approximately 20,538 square feet
- c. Space ITO-009-103 containing an area of approximately 20,613 square feet
- d. Spaces:

ITO-009-104 containing an area of approximately 21,009 square feet ITO-009-105 containing an area of approximately 21,007 square feet

- e. ITO-009-106 containing an area of approximately 19,084 square feet
- f. ITO-009-107 containing an area of approximately 29,575 square feet
- g. ITO-009-108 containing an area of approximately 21,470 square feet

2. Counter Spaces

- a. ITO-309-101 containing an area of approximately 88 square feet
- b. ITO-309-102 containing an area of approximately 86 square feet
- c. ITO-309-103 containing an area of approximately 86 square feet
- d. ITO-309-104 containing an area of approximately 86 square feet
- e. ITO-309-105 containing an area of approximately 36 square feet ITO-309-106 containing an area of approximately 52 square feet ITO-309-107 containing an area of approximately 52 square feet ITO-309-108 containing an area of approximately 36 square feet
- f. ITO-309-109 containing an area of approximately 35 square feet
- g. ITO-309-110 containing an area of approximately 35 square feet ITO-309-111 containing an area of approximately 52 square feet ITO-309-112 containing an area of approximately 36 square feet

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3. Ready Stalls
Ready stalls will be allocated on a proportional basis based on the concession bid. The highest bidder will get the most stalls, second highest the next most,

etc.

• During the term of the Agreement:

The DOT may, at the DOT's sole discretion, require or permit the Concessionaire to add additional spaces.

ZONING:

State Land Use District:

Urban

County of Hawaii CZO:

Industrial (ML20)

LAND STATUS:

Section 5(b), Hawaii Admission Act – Ceded DHHL 30% entitlement lands: Yes No X

TERM:

The Concession Agreements will be for five years commencing on June 1, 2009, and ending on May 31, 2014. The Premises Leases will be for ten years commencing on June 1, 2009, and ending on May 31, 2019.

Should the Concessionaire not be a successful bidder for a successor Concession Agreement after five-year term, the Premises Lease will terminate and be issued to the new successful bidder who will be responsible for compensating the Concessionaire for any unamortized cost of the leasehold improvements constructed on the Premises.

CONCESSION FEE AND PREMISES RENTAL:

The total annual concession fee established in the Concession Agreement shall be the greater of the following:

a. <u>Minimum Annual Guaranteed Fee</u>. The minimum annual guaranteed concession fee for each year of the Concession Agreement shall be as set forth in the Concessionaire's Bid Proposal (hereafter the "MAG"), or

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b. Percentage Fee. Ten percent (10%) of the gross receipts of the concession.

The upset minimum annual concession fee shall not be less than NINETY THOUSAND AND NO/100 DOLLARS (\$90,000.00).

The premises rent under the Premises Leases shall be the product of the square footage of the premises and the applicable rate for car rental use. For the counters, that rate currently is \$24.00 per square foot per annum. For the baseyards, the rate currently is \$1.16 for improved paved land and \$.83 for improved unpaved land.

IMPROVEMENTS:

The Concessionaire will be required to invest a minimum total of ONE HUNDRED THOUSAND AND NO/100 DOLLARS (\$100,000.00) for improvements, fixtures, and equipment in all of the spaces assigned under the Agreement in accordance with DOT and county building standards.

CHAPTER 343, HRS - ENVIRONMENTAL ASSESSMENT:

In accordance with the Comprehensive Exemption List approved by the Environmental Council and dated November 15, 2000, the subject qualifies under exempt Class of Action No. 1 — "Operations, repairs or maintenance of existing structures, facilities, equipment or topographical features, involving negligible or no expansion or change of use beyond that previously existing."

BASIS OF AWARD:

The award of the Agreements will be to the seven highest responsible bidders, based upon the total amount of the minimum annual guaranteed concession fee bids for the five-year term of the Concession Agreement.

REMARKS:

The on-airport Rent-A-Car concessions have been on a holdover status for several years. The issuance of Concession Agreements will provide stability to the car rental industry and allow the operators to make necessary improvements to facilities.

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RECOMMENDATION:

That the Board authorize the call for sealed bid tenders and issuance of a new non-exclusive Rent-A-Car concession subject to: 1) such other terms and conditions as may be prescribed by the Director of Transportation to best serve the interest of the State; and 2) review and approval by the Department of the Attorney General.

Respectfully submitted,

BRENNON T. MORIOKA, Ph.D., P.E.

Director of Transportation

APROVED FOR SUBMITTAL:

CAURA H. THIELEN

Chairperson and Member





























